

BOARD ACTION

August 21, 2007

APPROVED	<u>Tab 1.</u> Minutes of July 24, 2007 (Regular Meeting), as corrected.	WATKINS
APPROVED	<u>Tab 2.</u> Clerk of Courts= Consent Agenda, as follows: <ol style="list-style-type: none">1. Request to acknowledge receipt of list of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.2. Request to acknowledge receipt of proof of publication of unclaimed moneys and payment to the Board for those moneys advertised less claims and publication costs.3. Request to acknowledge receipt of Before the Public Service Commission – In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc. Docket No. 060368, Order No. PSC-07-0598-PCO-WS, Issued July 25, 2007. Order Denying Remaining Portion of OPC's Motion To Compel Discovery and Requiring Aqua Utilities Florida, Inc. To Provide Certain Discovery Responses By August 8, 2007.4. Request to acknowledge receipt of copy of report No. 2008-006, an Operational Audit of Florida Bright Futures Scholarship Program for the fiscal year ended June 30, 2006.5. Request to acknowledge receipt of St. Johns River Water Management District Tentative Budget Submission for Fiscal Year 2007 - 2008 Budget, as required by Section 373.536 of the Florida Statutes. (CD provided)6. Request to acknowledge receipt of copy of Ordinance 577-M from the City of Clermont which annexes a vacant parcel of land lying in Section 6, Township 23 South, Range 26 East, into the City limits of Clermont.7. Approval of the request to open delivery vs. payment account at	WATKINS

	<p>Wachovia for the purchase of investments.</p> <p>8. Request to acknowledge receipt of certified copy of Resolution 2007-07 identifying the Fiscal Year 2007/2008 meeting schedule for the Cascades at Groveland Community Development District, pursuant to Chapter 190, Florida Statutes.</p> <p>9. Request to acknowledge receipt of Southwest Florida Water Management District's Tentative Budget Submission for Fiscal Year 2007-2008, pursuant to Section 373.536(5), Florida Statutes.</p> <p>10. Request to acknowledge receipt of Before the Public Service Commission – In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.</p> <p>Docket No. 060368-WS, Order No. PSC-07-0631-PCO-WS, Issued August 1, 2007.</p> <p>Order Granting Intervention by Bill McCollum, Attorney General, State of Florida.</p> <p>11. Request for approval to sign release and accept payment of request to participate in a settlement made between Unum and the state of New York Attorney General for incentive payments paid to brokers. In exchange for the payment of \$556.58, the County agrees to sign a general release from any future claims against Unum in this matter.</p>	
APPROVED	<p>Tab 3. Request from Budget for approval of the following Budget Change Requests:</p> <p>1. Budget transfer – Request transfer of \$84,000 from stormwater MSTU fund reserves to purchase property from David McQuilling that qualifies for the Forest Hills/Lake Mack flood buy out program. Purchase was approved by the BCC on 4/3/07. Stormwater Project #STR05007. After this transfer, there will be a remaining balance of \$4,501,076.</p> <p>2. Budget transfer – Request transfer of \$92,500 from stormwater MSTU fund reserves to purchase property from Lois Fonseca and Pamela Linderman that qualifies for the Forest Hills/Lake Mack flood buy out program. Purchase was approved by the BCC on 3/20/07. Stormwater Project #STR05007. After this transfer, there will be a remaining balance of \$4,408,576.</p> <p>3. Budget transfer – To correct the org used when budgeting a transfer</p>	FRAZIER

	<p>out of the General Fund. Transfers Outs are budgeted in 9093001; however when this transfer was budgeted it was inadvertently put in 9092001. These 2 org codes have different functions and therefore the transfer needs to be moved to the correct org code in order to provide proper reporting. Accounting correction only. Zero net effect on the General Fund.</p> <p>4. Budget transfer – Request transfer of \$626,136.00 to redistribute additional funding requested by the Sheriff at mid-year for law enforcement salary increases. Funding was added to the Law Enforcement Salary line only and needs to be distributed among Corrections, Bailiffs and School Resource Deputies. Funding was included in the Mid-Year Budget Amendment and is being redistributed among the Sheriff Transfer lines. Zero net effect on the General Fund.</p> <p>5. Budget transfer – Request transfer funds of \$32,000 from Reserve for Operations to Other Professional Services. Due to the change in staffing at the Medical Examiner's Office, outside physicians have been brought in to provide services resulting in increased expenses. The additional funding should cover expenses through the end of the fiscal year. Funding is available in Reserve for Operations.</p>	
APPROVED	Tab 4. Request from Community Services to release two mortgages (recorded in ORB 3328, Page 1073 and ORB 3356, Page 1113) to Lake County from Mary Perdue.	SMITH
APPROVED	Tab 5. Request from Environmental Services for approval of Resolution No. 2007-117 , replacing Resolution No. 1994-20 regarding the Pollution Recovery Fund; changing the name to Environmental Recovery Fund; providing for additional monies to be deposited into the Fund to be used to enhance Lake County's environmental resources; and providing for an effective date.	D. SMITH
APPROVED	Tab 6. Request from Growth Management for Execution and Release of Fine, Property Owner: James L. & Toni M. Richardson, Code Case No. 2005110021 – Commission District 3.	STRICKLIN
APPROVED	Tab 7. Request from Growth Management for approval of amended Interlocal Agreement between Lake County and the Town of Montverde removing the provision for payment of 15% of building and fire permit fees to the Town of Montverde.	STRICKLIN

APPROVED	<u>Tab 8.</u> Request from Growth Management for acceptance of Quit-Claim Deed by Mt. Plymouth Enterprises to Lake County for lands within the plat of Mt. Plymouth – Commission District 4.	STRICKLIN
APPROVED	<u>Tab 9.</u> Request from Procurement for approval to 1) declare the items on the attached list surplus to County needs, (2) authorize the removal of all of the items on the attached list from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director to sign vehicle titles.	SCHWARTZMAN
APPROVED	<u>Tab 10.</u> Request from Public Safety for approval and execution of the Hazards Analysis Agreement between the State of Florida, Division of Emergency Management and Lake County, by the Lake County Board of County Commissioners.	KAISER
APPROVED	<u>Tab 11.</u> Request from Public Safety for approval of Resolution No. 2007-118 renaming Tiny Morse Boulevard to Auto Plex Way – Commission District 2.	KAISER
APPROVED	<u>Tab 12.</u> Request from Public Works for approval and signature of Resolution No. 2007-119 to advertise Public Hearing for Vacation Petition 1117, Arthur O. Neaf and Mary Neaf, to vacate rights of way in the Plat of Groveland Farms - Commission District 2.	STIVENDER
APPROVED	<u>Tab 13.</u> Request from Public Works for authorization to accept the final plat for Wolfbranch Meadows and all areas dedicated to the public as shown on the Wolfbranch Meadows plat. Wolfbranch Meadows consists of 39 lots and is located in Section 19, Township 19 South, Range 28 East. Commission District 4.	STIVENDER
APPROVED	<u>Tab 14.</u> Request from Public Works to accept a performance and payment bond in the amount of \$3,591,436.92 as surety for a Developer's Agreement between Lake County and Groveland BFG Lakeshore, Ltd. regarding Hartle Road.	STIVENDER
APPROVED	<u>Tab 15.</u> Request from Public Works for authorization to accept the final plat for Garden City Phase 1-D and all areas dedicated to the public as shown on the Garden City Phase 1-D plat. Garden City Phase 1-D consists of 26 lots and is located in Section 8, Township 22 South, Range 25 East. Commission District 2.	STIVENDER

APPROVED	<u>Tab 16.</u> Request from Public Works for authorization to accept the final plat for Hidden Forest at Silver Creek and all areas dedicated to the public as shown on the Hidden Forest at Silver Creek final plat, accept a letter of credit for performance in the amount of \$65,439.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Sosa Related Investment, Inc. Hidden Forest at Silver Creek consists of 135 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.	STIVENDER
APPROVED	<u>Tab 17.</u> Request from Public Works for authorization to accept the final plat for The Retreat at Silver Creek and all areas dedicated to the public as shown on The Retreat at Silver Creek final plat, accept a letter of credit for performance in the amount of \$47,905.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Ultimate Developers LLC. The Retreat at Silver Creek consists of 90 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.	STIVENDER
APPROVED	<u>Tab 18.</u> Request from Public Works for authorization to accept the final plat for Serenity at Silver Creek and all areas dedicated to the public as shown on Serenity at Silver Creek final plat, accept a letter of credit for performance in the amount of \$60,357.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and RR Tropical Investment Group Inc. Serenity at Silver Creek consists of 140 lots and is located in Section 25, Township 24 South, Range 26 East. Commission District 2.	STIVENDER
APPROVED	<u>ADDENDUM NO. 1-I.</u> Request to accept the Florida Healthy Kids Corporation Mini-Grant in order to implement the Phase I Project – Outreach & Awareness Campaign which will be implemented by the Lake County Community Health Workers Program, execute contract and approve Resolution No. 2007-120 accepting unanticipated revenue.	SMITH
APPROVED	<u>Tab 19.</u> Request from County Attorney for approval of Amendment to Lease Agreement between Lake County and Eagle R & R, Inc. – Commission District 3.	MINKOFF
APPROVED	<u>Tab 20.</u> Request from County Attorney for approval of Amendment to Lease Agreement between Lake County and Amerirus, Inc. – Commission District 3.	MINKOFF
APPROVED	<u>Tab 21.</u> Request from County Attorney for approval of the 7730 American Way Estoppel Certificate.	MINKOFF

APPROVED	Tab 22. Request from Community Services for approval to provide \$6,000 in matching funds to support a grant award from HUD to the Mid-Florida Homeless Coalition in the amount of \$78,143 to support the continued operation of a four-county Management Information System. Authorization of BCC Chair to sign letter of support and commitment for \$6,000. Approval of related budget transfer in the amount of \$6,000 from the Welfare Hospital Services (HCRA) Account.	SMITH
APPROVED	Tab 23. Request from Community Services for acceptance of the FY 2006 Shelter Plus Care Agreement, authorize the Chairman to sign it, and direct the Lake County Housing Agency to implement the program covered under the Agreement. The Chairman is requested to sign the attached three copies of the Shelter Plus Care Agreement.	SMITH
APPROVED	Tab 24. Request from Public Works for approval to place barricades on C.W. Harrell Road, North of Sunburst Lane in the Clermont area. Commissioner District 2.	STIVENDER
APPROVED	Tab 25. Request from Public Works for authorization to accept the final plat for Plymouth Creek Estates and all areas dedicated to the public as shown on the Plymouth Creek Estates final plat, accept a letter of credit for performance in the amount of \$1,252,735.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Plymouth MB, LLC. Plymouth Creek consists of 72 lots and is located in Section 36, Township 19 South, Range 27 East. Commission District 4. Approval of the plat with the restriction that in the Development Order it has the restrictions for the setbacks for the septic tank, stating it has to be outside the upslope area to meet the intent of the Comp Plan.	STIVENDER
APPROVED	Tab 26. PUBLIC HEARING: Hold public hearing, receive comments, approve public housing agency annual plan for fiscal year 2007 and reports covering fiscal year 2007 and authorize Chairman to sign and certify for submission.	CADWELL
APPROVED	Tab 27. PUBLIC HEARING: Approval of Ordinance No. 2007-40 amending sections of the Lake County Code for clarification regarding citation issuance by Code Enforcement officers for Code violations.	CADWELL
APPROVED	Tab 28. PUBLIC HEARING for the approval of the 2008-2012 Road Impact Fee Transportation Construction Program, approval of the 2008-2012 Transportation Trust Fund Transportation Construction Program, and approval of the 2008-2012 Renewal Sales Tax Capital Projects - Roads Transportation Construction Program.	CADWELL

APPROVED	<u>Tab 31.</u> Appointment affirmation of Lily Kliot to serve as Lady Lake Public Library's member representative on the Lake County Library Advisory Board to complete an unexpired term ending February 28, 2008.	CADWELL
APPOINTMENT	<u>Tab 32.</u> Appointment of members and Commission liaison to the newly created Lake County Arts and Cultural Alliance. The Board appointed Commr. Stivender as the Commission liaison, and the following members: Mr. Keith Mullins representing City of Clermont; Ms. Kace Montgomery representing City of Eustis; Ms. Amy Griffin representing City of Leesburg; Mr. Joe Teri representing City of Minneola; Ms. Judy Smathers representing City of Mt. Dora; Vice Mayor Nancy Clutts representing the City of Tavares; and Ms. Judy Tice representing the Town of Astatula.	CADWELL
APPROVED	Mr. Sandy Minkoff, County Attorney, stated that he had been contacted by EPA regarding leachate disposal that they had sent to a firm in Jacksonville. He explained that it was the responsibility of everyone who sent material to that company for disposing and cleaning up the site and that Nassau County had suggested that Lake County participate with them and the South Carolina Water and Gas Agency to jointly hire an attorney to look over this issue. He asked for approval to hire an attorney from Tampa with Carlton Fields and authority to work with the Committee of those who sent waste to that site on a plan to get it cleaned up.	MINKOFF
FOR YOUR INFORMATION	Ms. Cindy Hall, County Manager, stated that she received a call from the Sheriff related to a vote by the School Board to include a school resource officer at Beverly Shores Elementary School asking for direction as to funding of that position. She mentioned that that position was not included in the Budget request. The BCC decided to wait to see if the new administration would be able to handle any behavior problems at the school, and directed Ms. Hall to contact the School Board to tell them the Board would readdress that issue in October.	HALL
APPROVED	<u>Tab 33. Proclamation No. 2007-121</u> recognizing September 16 through 22, 2007 as Constitution Week.	STIVENDER

	<p align="center"><u>CITIZEN QUESTION AND COMMENT PERIOD</u></p> <p>Mr. Scott Taylor, a resident of Sorrento, addressed the Board regarding the relocation of County Road 46A, as part of the Expressway Project. He opined that a road with 100-foot, 150-foot, or whatever the minimum buffer would be through his property would be the best option, as opposed to the road running through conservation land or using a larger buffer on his land for the road. He asked that Board to send a letter to DOT or direct Mr. Jim Stivender, Jr., Public Works Director, to send a letter on behalf of the Board that clarified what Lake County's desires were with respect to CR 46A. He also mentioned that Heathrow already had some buffer in the form of Estates Ridge Road, which was a parallel road. The Board decided to put this issue on the Agenda for next week's BCC Meeting.</p>	
DENIED	<p><u>Tab 29. PUBLIC HEARING</u> for approval of ordinance amending Chapter 22, Lake County Code, Impact Fees, adopting an amended transportation impact fee rate schedule.</p>	CADWELL
APPROVED	<p>Motion to form a task force of citizens to look at the funding options for transportation needs and to bring those ideas back to the Board after the task force has researched and worked with all the effected industries, the Economic Development Committee, and the Impact Fee Committee, and for the County Attorney to bring back a resolution which would give the committee some direction in regard to operations of the committee.</p>	CADWELL
POSTPONED	<p><u>Tab 30. PUBLIC HEARING</u> for approval of ordinance amending Chapter 22, Lake County Code, Impact Fees, amending general provisions.</p>	CADWELL
APPROVED	<p>Commr. Hill stated that she would not be able to go to the Public Service Commission meeting in Tallahassee this week but that someone from staff would be attending that meeting. She explained that they had a packet and a letter prepared to submit for the record, which the staff member will present at that time. She asked for approval for her, on behalf of the Solid Waste Committee, and the Chairman to be able to sign that letter and send it with staff.</p>	HILL